

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	2

MR. SPEAKER:

Your Committee on Technology, Research and Development, to which was referred House Bill 1518, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 3, line 18, delete "the Internet," and insert "**Internet Protocol**
- 2 **enabled services**".
- 3 Page 4, line 36, delete "and".
- 4 Page 4, line 38, delete "chapter." and insert "**chapter; and**".
- 5 Page 4, between lines 38 and 39, begin a new line block indented
- 6 and insert:
- 7 "**(4) switched and special carrier access services**".
- 8 Page 8, line 36, delete "Through the period ending July 1, 2010, a"
- 9 and insert "**A**".
- 10 Page 8, line 38, after "rate" insert "**with unlimited local calling**".
- 11 Page 8, line 41, delete "2007," and insert "**2010**".
- 12 Page 12, delete lines 29 through 42.
- 13 Page 13, delete lines 1 through 12.
- 14 Page 13, line 15, after "10." insert "**(a)**".
- 15 Page 13, line 16, after "law," insert "**including when conducting**

1 **arbitration of interconnection agreements under the federal**
 2 **Telecommunications Act of 1996, 47 U.S.C. 251 et seq.,".**

3 Page 13, line 23, delete "In establishing pricing for unbundled
 4 network".

5 Page 13, delete lines 24 through 26, begin a new paragraph and
 6 insert:

7 **"(b) The commission shall establish reasonable pricing for**
 8 **unbundled network elements, the resale of telecommunications**
 9 **services, and interconnection in accordance with the federal**
 10 **Telecommunications Act of 1996, 47 U.S.C 251 et seq., and all other**
 11 **federal laws and regulations.**

12 **(c) This chapter does not affect:**

13 **(1) the commission's continuing authority to resolve**
 14 **interconnection disputes between telecommunications carriers**
 15 **that arise under the federal Telecommunications Act of 1996,**
 16 **47 U.S.C. 251 et seq.; or**

17 **(2) a provider's ability to file a complaint with the commission**
 18 **to have a dispute, after notice and hearing, decided by the**
 19 **commission.".**

20 Page 13, line 35, delete "Whenever a provider obtains information
 21 that a customer" and insert **"After a customer's telecommunications**
 22 **services have been ported,".**

23 Page 13, line 36, delete "has changed to another provider,".

24 Page 13, line 37, delete "," and insert **"and by IC 24-4.7-4,".**

25 Page 14, between lines 40 and 41, begin a new paragraph and insert:

26 **"SECTION 25. IC 8-1-19.5-14 IS ADDED TO THE INDIANA**
 27 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 28 **[EFFECTIVE JULY 1, 2005]: Sec. 14. (a) Notwithstanding**
 29 **IC 8-1-2.6, the commission may retain:**

30 **(1) jurisdiction over the rates, charges, and service quality of**
 31 **211 services provided by telecommunications providers; and**

32 **(2) the authority to fulfill the commission's duties under this**
 33 **chapter.**

34 **(b) The commission may not impose a rule concerning the**
 35 **service quality of 211 services provided by a telecommunications**
 36 **provider unless the rule is imposed equally and uniformly on all**
 37 **telecommunications providers.**

38 **(c) Upon a petition by:**

1 **(1) a telecommunications provider; or**
 2 **(2) a recognized 211 services provider;**
 3 **the commission may formally or informally investigate a**
 4 **telecommunications provider's rates and charges to determine**
 5 **whether the rates and charges are just and reasonable. For**
 6 **purposes of this section, a rate is considered reasonable if the rate**
 7 **covers the telecommunications provider's costs and allows a**
 8 **reasonable profit."**

9 Page 16, line 9, delete "At the same time a provider gives notice
 10 under subsection".

11 Page 16, delete lines 10 through 18.

12 Page 16, run in lines 9 through 19.

13 Page 16, delete lines 21 through 26.

14 Page 17, line 25, after "time," insert **"determined by the**
 15 **commission and"**.

16 Page 17, line 25, delete "practices" and insert **"practices,"**.

17 Page 17, delete line 26.

18 Page 17, line 27, delete "or standards of the commission,".

19 Page 17, delete line 36.

20 Page 17, line 37, delete "authorize as" and insert **"for a period**
 21 **determined by the commission to be"**.

22 Page 19, line 36, delete "eighteen (18)" and insert **"twelve (12)"**.

23 Page 20, line 3, delete "IC 8-1-2.6-6;"

24 Page 20, after line 3, begin a new paragraph and insert:

25 **"SECTION 27. [EFFECTIVE JULY 1, 2005] (a) As used in this**
 26 **SECTION, "commission" refers to the Indiana utility regulatory**
 27 **commission created by IC 8-1-1-2.**

28 **(b) Not later than November 1, 2005, the regulatory flexibility**
 29 **committee established by IC 8-1-2.6-4 shall study the following**
 30 **issues:**

31 **(1) The rates and charges assessed for bundled or packaged**
 32 **services that includes telecommunications services along with:**

33 **(A) information services;**

34 **(B) advanced services; or**

35 **(C) broadband services.**

36 **(2) The ability of consumers to compare the pricing of bundles**
 37 **or packages:**

38 **(A) that are offered by different providers; or**

- 1 **(B) that contain different combinations of services.**
- 2 **(c) The regulatory flexibility committee shall prepare a report**
- 3 **on the committee's recommendations, if any, concerning the issues**
- 4 **described in subsection (b) and shall submit the report to the**
- 5 **legislative council in an electronic format under IC 5-14-6 not later**
- 6 **than December 1, 2005."**
- 7 Renumber all SECTIONS consecutively.
 (Reference is to HB 1518 as introduced.)

and when so amended that said bill do pass.

Representative Murphy